

ANNUAL SYNAR REPORT

42 U.S.C. 300x-26

OMB No 0930-0222

FFY 2008



U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Substance Abuse and Mental Health Services Administration
Center for Substance Abuse Prevention
www.samhsa.gov

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INTRODUCTION

The Annual Synar Report (ASR) format provides the means for States to comply with the reporting provisions of the Public Health Service Act (42 U.S.C. 300x-26) and the Tobacco Regulation for the SAPT Block Grant (45 C.F.R. 96.130 (e)).

Public reporting burden for the collection of information is estimated to average 15 hours for Section I and 3 hours for Section II, including the time for reviewing instructions, completing and reviewing the collection of information, searching existing data sources, and gathering and maintaining the data needed. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to SAMHSA Reports Clearance Officer; Paperwork Reduction Project (#####-#####); 1 Choke Cherry Road, 7th Floor Rockville, Maryland 20857

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control number for this project is 0930-0222 with an expiration date of 10-31-2010.

How the Synar report helps the Center for Substance Abuse Prevention

In accordance with the tobacco regulations, States are required to provide detailed information on progress made in enforcing youth tobacco access laws (FFY xxxx Compliance Progress) and future plans to ensure compliance with the Synar requirements to reduce youth tobacco access rates (FFY xxxx Intended Use Plan). These data are required by 42 U.S.C. 300x-26 and will be used by the Secretary to evaluate State compliance with the statute. Part of the mission of the Center for Substance Abuse Prevention (CSAP) is to assist States¹ by supporting Synar activities and providing technical assistance helpful in determining the type of enforcement measures and control strategies that are most effective. This information is helpful to CSAP in improving technical assistance resources and expertise on enforcement efforts and tobacco control program support activities, including State Synar Program support services, through an enhanced technical assistance program involving conferences and workshops, development of training materials and guidance documents, and on-site technical assistance consultation.

How the Synar report can help States

The information gathered for the Synar report can help States describe and analyze sub-State needs for program enhancements. These data can also be used to report to the State legislature and other State and local organizations on progress made to date in enforcing youth tobacco access laws when aggregated statistical data from State Synar reports can demonstrate to the Secretary the national progress in reducing youth tobacco access problems. This information will also provide Congress with a better understanding of State progress in implementing Synar, including State difficulties and successes in enforcing retailer compliance with youth tobacco access laws.

¹The term State is used to refer to all the States and territories required to comply with Synar as part of the Substance Abuse Prevention and Treatment Block Grant Program requirements (42 U.S.C. 300x-64 and 45 C.F.R. 96.121).

Getting assistance in completing the Synar report

If you have questions about programmatic issues, you may call CSAP's Division of State Programs at (240) 276-2413 and ask for your respective State Project Officer, or contact your State Project Officer directly by telephone or e-mail using the directory provided. If you have questions about fiscal or grants management issues, you may call the Grants Management Officer, Office of Program Services, Division of Grants Management, at (240) 276-1404.

Where and when to submit the Synar report

The Annual Synar Report (ASR) must be received by SAMHSA no later than December 31, 2007. The ASR must be submitted in the **approved OMB report format**. Use of the approved format will avoid delays in the review and approval process. The chief executive officer (or an authorized designee) of the applicant organization must sign page 1 of the ASR certifying that the State has complied with all reporting requirements.

Submit one signed original of the report, one additional copy, and an electronic version on either CD-ROM or 3.5" diskette to the Grants Management Officer at the address below:

Grants Management Officer
Office of Program Services, Division of Grants Management
Substance Abuse and Mental Health Services Administration

Regular Mail:

1 Choke Cherry Road, Rm.7-1103
Rockville, Maryland 20857

Overnight Mail:

1 Choke Cherry Road, Rm.7-1103
Rockville, Maryland 20850

FFY 2008: FUNDING AGREEMENTS/CERTIFICATIONS

The following form must be signed by the Chief Executive Officer or an authorized designee and submitted with this application. Documentation authorizing a designee must be attached to the application.

PUBLIC HEALTH SERVICES ACT AND SYNAR AMMENDMENT
42 U.S.C. 300x-26 requires each State to submit an annual report of its progress in meeting the requirements of the Synar Amendment and its implementing regulation (45 C.F.R. 96.130) to the Secretary of the Department of Health and Human Services. By signing below, the chief executive officer (or an authorized designee) of the applicant organization certifies that the State has complied with these reporting requirements and the certifications as set forth below.
SYNAR SURVEY SAMPLING METHODOLOGY
The State certifies that the Synar survey sampling methodology on file with the Center for Substance Abuse Prevention and submitted with the Annual Synar Report for FFY 2005 is up-to-date and approved by the Center for Substance Abuse Prevention.
SYNAR SURVEY INSPECTION PROTOCOL
The State certifies that the Synar Survey Inspection Protocol on file with the Center for Substance Abuse Prevention and submitted with the Annual Synar Report for FFY2005 is up-to-date and approved by the Center for Substance Abuse Prevention.
State: North Dakota
Name of Chief Executive Officer or Designee: Carol K. Olson
Signature of CEO or Designee:
Title: <u>Executive Director, ND Dept. of Human Services</u> Date Signed: _____
If signed by a designee, a copy of the designation must be attached

SECTION I: FFY 2008(Compliance Progress)

YOUTH ACCESS LAWS, ACTIVITIES, AND ENFORCEMENT

42 U.S.C. 300x-26 requires the States to report information regarding the sale/distribution of tobacco products to individuals under age 18.

- 1. Please indicate any changes or additions to the State tobacco statute(s) relating to youth access since the last reporting year. Please attach a photocopy of the change(s) in the State law(s) if any was made since the last reporting year. (See 42 U.S.C. 300x-26)**

- a. Has there been a change in the *minimum sale age* for tobacco products?**

☐ Yes ☒ No

If Yes, current minimum age: ☐ 19 ☐ 20 ☐ 21

- b. Have there been any changes in State law that impact the State's *protocol for conducting Synar inspections*? ☐ Yes ☒ No**

If Yes, indicate change (check all that apply):

☐ Changed to require that law enforcement conduct inspections of tobacco outlets

☐ Changed to make it illegal for youth to possess, purchase or receive tobacco

☐ Changed to require ID to purchase tobacco

☐ Other change(s) (please describe): _____

- c. Have there been any changes in the law concerning *vending machines*?**

☒ Yes ☐ No

If Yes, indicate change (check all that apply):

☐ Total ban enacted

☒ Banned from location(s) accessible to youth

☐ Locking device or supervision required

☐ Other change(s) (please describe): _____

- d. Have there been any changes in State law that impact the following?**

Licensing of tobacco vendors ☐ Yes ☒ No

Penalties for sales to minors ☐ Yes ☒ No

- 2. Describe how the Annual Synar Report (see 45 C.F.R. 96.130(e)) and the State Plan (see 42 U.S.C. 300x-51) were made public within the State prior to submission of the ASR. (Check all that apply)**

☐ Placed on file for public review

☒ Posted on a State agency Web site (please provide exact web address)

☒ Notice published in a newspaper or newsletter

- ☐ Public hearing
- ☒ Announced in a news release, a press conference, or discussed in a media interview
- ☐ Distributed for review as part of the SAPT Block Grant application process
- ☐ Distributed through the public library system
- ☐ Published in an annual register
- ☐ Other change(s) (please describe): _____

3. Identify the following agency or agencies. (See 42 U.S.C. 300x-26 and 45 C.F.R. 96.130)

a. The State agency(s) designated by the Governor for oversight of the Synar requirements:

ND Department of Human Services, Division of Mental Health & Substance Abuse Services

Has this changed since last year's Annual Synar Report? ☐ Yes ☒ No

b. The State agency(s) responsible for conducting random, unannounced Synar inspections:

ND Department of Human Services, Division of Mental Health & Substance Abuse Services

Has this changed since last year's Annual Synar Report? ☐ Yes ☒ No

c. The State agency(s) responsible for enforcing youth tobacco access law(s):

ND Office of the Attorney General (on a statewide basis), but enforcement generally takes place at the local level (see Question 5a)

Has this changed since last year's Annual Synar Report? ☐ Yes ☒ No

4. Identify the State agency(s) responsible for tobacco prevention activities.

ND Department of Health

Has the responsible agency changed since last year's Annual Synar Report?

☐ Yes ☒ No

a. Describe the coordination and collaboration that occur between the agency responsible for tobacco prevention and the agency responsible for oversight of the Synar requirements. The two agencies (check all that apply):

- ☐ Are the same
- ☐ Have a formal written memorandum of agreement
- ☒ Have an informal partnership
- ☒ Conduct joint planning activities

- ☐ Combine resources
- ☐ Have other collaborative arrangement(s) (please describe): _____
- _____

5. Please answer the following questions regarding the State's activities to enforce the youth access to tobacco law(s) in FFY 2008. (See 42 U.S.C. 300x-26 and 45 C.F.R. 96.130(e))

a. Which one of the following describes the enforcement of youth access to tobacco laws carried out in your State? (Check one category only)

- ☒ Enforcement is conducted exclusively by local law enforcement agencies.
- ☐ Enforcement is conducted exclusively by State agency(s).
- ☐ Enforcement is conducted by both local and State agencies.

b. The following items concern penalties imposed for violations of youth access to tobacco laws by LOCAL AND/OR STATE LAW ENFORCEMENT AGENCIES. Please fill in the number requested. If State law does not provide for tobacco retailer license/permit suspension or revocation, please mark "NA".

PENALTY	OWNERS	CLERKS	TOTAL
Number of <u>citations issued</u>			16
Number of <u>finest assessed</u>	32	13	45
Number of <u>permits/licenses suspended</u>	27		27
Number of <u>permits/licenses revoked</u>	0		0
<i>Other (please describe): Warning (4), Pending (12)</i>			16

c. What additional activities are conducted in your State to support enforcement and compliance with State tobacco access law(s)? (Check all that apply)

- ☒ Merchant education and/or training
- ☐ Incentives for merchants who are in compliance (e.g., Reward and Reminder)
- ☐ Community education regarding youth access laws
- ☒ Media use to publicize compliance inspection results
- ☒ Community mobilization to increase support for retailer compliance with youth access laws
- ☐ Other activities (please list): _____

Briefly describe all checked activities:

Most activities in North Dakota are planned through collaborations at the local level, therefore communities plan different activities based on their level of readiness to address. Some

communities have been successful in passing local ordinances to require merchant education training for all locally licensed retailers. Others require merchant and/or clerk education for any outlets failing local compliance checks. Many communities use the media to publicize their compliance inspection results. Fargo has developed one such model, taking out a full-page newspaper ad each quarter and publishing all businesses inspected by who passed and who failed. Bismarck and Minot regularly do press releases as inspections are done.

- d. Are citations or warnings issued to retailers or clerks who sell tobacco to minors for inspections that are part of the Synar survey? ☐ Yes ☒ No
- e. If “Yes” to 5.d., please describe the State’s procedure for minimizing risk of bias to the survey results: N/A

SYNAR SURVEY METHODS AND RESULTS

The following questions pertain to the survey methodology and results of the Synar survey used by the State to meet the requirements of the Synar Regulation in FFY 2008. (See 42 U.S.C. 300x-26 and 45 C.F.R. 96.130)

6. Has the sampling methodology changed from the previous year?

☐ Yes ☒ No

The State is required to have an approved up-to-date description of the Synar sampling methodology on file with CSAP. Please submit a copy of your Synar Survey Sampling Methodology (Appendix B). If the sampling methodology changed from the previous reporting year, these changes must be reflected in the methodology submitted.

7. Please answer the following questions regarding the State’s annual random, unannounced inspections of tobacco outlets. (See 45 C.F.R. 96.130(d)(2))

- a. Did the State use the optional Synar Survey Estimation System (SSES) to analyze the Synar survey data?

☒ Yes ☐ No

If Yes, attach SSES summary tables 1, 2, 3 and 4 and go to Question 8. If No, continue to Question 7b.

- b. Report the weighted and unweighted Retailer Violation Rate (RVR) estimates, and the standard error.

Unweighted RVR

Weighted RVR

Standard error (s.e.) of the (weighted) RVR _____

Fill in the blanks to calculate the right limit of the right-sided 95% confidence interval.

$$\frac{\text{RVR Estimate}}{\text{RVR Estimate}} + \frac{(1.645 \times \text{Standard Error})}{(1.645 \text{ times Standard Error})} = \text{Right Limit}$$

c. **Fill out Form 1 in Appendix A (Forms).** (*Required regardless of the sample design*)

d. **How were the (weighted) RVR estimate and its standard error obtained?**
(*Check the one that applies*)

- ☐ Form 2 (Optional) in Appendix A (Forms) (*Attach completed Form 2*)
☐ Other (*Please specify. Provide formulae and calculations or attach and explain the program code and output with description of all variable names.*)

e. **If stratification was used, did any strata in the sample contain only one outlet or cluster this year?**

☐ Yes ☐ No ☐ No stratification

If Yes, explain how this situation was dealt with in variance estimation.

f. **Was a cluster sample design used?**

☐ Yes ☐ No

If No, go to Question 7g.

If Yes, fill out and attach Form 3 in Appendix A (Forms), and answer the following question:

Were any certainty primary sampling units selected this year?

☐ Yes ☐ No

If Yes, explain how the certainty clusters were dealt with in variance estimation.

g. Report the following outlet sample sizes for the Synar survey.

	Sample Size
Effective sample size (sample size needed to meet the SAMHSA precision requirement assuming simple random sampling)	
Target sample size (the product of the effective sample size and the design effect)	
Original sample size (inflated sample size of the target sample to counter the sample attrition due to ineligibility and non-completion)	
Eligible sample size (number of outlets found to be eligible in the sample)	
Final sample size (number of eligible outlets in the sample for which an inspection was completed)	

h. Fill out Form 4 in Appendix A (Forms).

8. Did the State's Synar survey use a list frame?

☒ **Yes** ☐ **No**

If Yes, answer the following questions about its coverage:

a. The calendar year of the latest frame coverage study: CY 2007

b. Percent coverage from the latest frame coverage study: 96.1%

c. Was a new study conducted in this reporting period? ☒ Yes ☐ No

If Yes, please complete Appendix D (List Sampling Frame Coverage Study) and submit it with the Annual Synar Report.

d. The calendar year of the next coverage study planned: CY 2010

9. Has the Synar survey inspection protocol changed from the previous year?

☐ **Yes** ☒ **No**

The State is required to have an approved up-to-date description of the Synar inspection protocol on file with CSAP. Please submit a copy of your Synar Survey Inspection Protocol (Appendix C). If the inspection protocol changed from the previous year, these changes must be reflected in the protocol submitted.

a. Provide the inspection period: From: 7/25/07 To: 9/30/07
MM/DD/YY MM/DD/YY

- b. Provide the number of youth inspectors used in the current inspection year:**
6 youth – 3 male, 3 female

NOTE: If the State uses SSES, please ensure that the number reported in 9.b. matches that reported in SSES Table 4, or explain any difference.

- c. Fill out and attach Form 5 in Appendix A (Forms).** *(Not required if the State used the Synar Survey Estimation System (SSES) to analyze the Synar survey data)*

SECTION II: FFY 2008 (Intended Use):

Public law 42 U.S.C. 300x-26 of the Public Health Service Act and 45 C.F.R. 96.130 (e) (4, 5) require that the States provide information on future plans to ensure compliance with the Synar requirements to reduce youth tobacco access.

1. In the upcoming year, does the State anticipate any changes in the:

Synar sampling methodology ☐ Yes ☒ No
Synar inspection protocol ☐ Yes ☒ No

If changes are made in either the Synar sampling methodology or the Synar inspection protocol, the State is required to obtain approval from CSAP prior to implementation of the change and file an updated Synar Survey Sampling Methodology (Appendix B) or an updated Synar Survey Inspection Protocol (Appendix C), as appropriate.

2. Please describe the State's plans to maintain and/or reduce the target rate for Synar inspections to be completed in FFY 2008. Include a brief description of plans for law enforcement efforts to enforce youth tobacco access laws, activities that support law enforcement efforts to enforce youth tobacco access laws, and any anticipated changes in youth tobacco access legislation or regulation in the State.

The last legislative session (January 1, 2007 – April 15, 2007) resulted in a new section to the century code eliminating the placement of tobacco vending machines where youth could access them. Also included is the prohibition of selling tobacco products in a vending machine with any other type of product, other than matches.

The Division of Mental Health and Substance Abuse Services has operated for several biennium's on a hold even budget. Therefore, there have been no additional resources allocated to enforce tobacco access laws.

The Division will continue enforcement efforts in the same manner as in question five of Section I of this report. Additionally, the ND Department of Health will continue efforts, such as media campaigns on secondhand smoke and clean indoor air. Merchant education, community education, media use and community mobilization will continue. The North Dakota Department of Human Services jointly with the North Dakota Department of Health will issue a press release announcing the results of the most recent Synar survey.

Many community coalitions remain active in promoting stricter ordinances and will continue to conduct compliance checks that are tied to enforcement. These efforts have raised and will continue to raise awareness of youth access to tobacco.

3. Describe any challenges the State faces in complying with the Synar regulation. (Check all that apply)

- ☒ Limited resources for law enforcement of youth access laws
- ☒ Limited resources for activities to support enforcement and compliance with youth tobacco access laws
- ☐ Limitations in the State youth tobacco access laws
- ☐ Limited public support for enforcement of youth tobacco access laws
- ☐ Limitations on completeness/accuracy of list of tobacco outlets
- ☐ Limited expertise in survey methodology
- ☐ Laws/regulations limiting the use of minors in tobacco inspections
- ☐ Difficulties recruiting youth inspectors
- ☒ Geographic, demographic, and logistical considerations in conducting inspections
- ☐ Cultural factors (e.g., language barriers, young people purchasing for their elders)
- ☒ Issues regarding sources of tobacco under tribal jurisdiction
- ☐ Other challenges (*please list*): _____

Briefly describe all checked challenges and propose a plan for each, or indicate the State's need for TA related to each relevant challenge:

Generally, in North Dakota, there is very good support for tobacco issues. However, enforcement is at times more difficult. For example, there are communities who have been able to pass local ordinances relating to local licensing and penalties, but these communities have been unable to gain the support and cooperation of their local law enforcement in conducting compliance checks. At a state level, there has been more attention given to enforcement issues relating to methamphetamine use, leaving limited resources for tobacco.

Tribes are sovereign Nations, therefore, we are unable to conduct compliance checks on the reservations without permission from tribal authorities. The Department of Health has been attempting to involve the tribes in tobacco prevention and control issues and has been successful in hiring coordinators on some of our reservations.

North Dakota has 36 of 53 counties that are 'frontier,' with fewer than 6 persons per square mile. Distances, size of communities, and population dynamics affect many aspects of the issues related to decreasing use of tobacco by youth. Communities are losing young adults to outmigration. The youth/aging ratio increases as older persons remain in their communities and as other older persons return to their roots in North Dakota to live out their retirement. Forty-eight counties have experienced net declines in population over the last two decades. Having an increasing aging population affects distribution of resources as aging adults require more and more, leaving fewer resources for youth.

APPENDIX A: FORMS

See attached SSES Tables.

Appendices B & C: Forms

Instructions

Appendix B (Sampling Design) and Appendix C (Inspection Protocol) are to reflect the State's CSAP-approved sampling design and inspection protocol. These appendices, therefore, should generally describe the design and protocol and are not to be modified with year-specific information. Please note that any changes to either appendix must receive CSAP's advance written approval. To facilitate the State's completion of this section, simply "cut and paste" the previously approved sampling design (Appendix B) and inspection protocol (Appendix C).

APPENDIX B

STATE: ND

FFY: 2008

SYNAR SURVEY SAMPLING METHODOLOGY

1. What type of sampling frame is used?

- ☒ List frame *(Go to Question 2)*
☐ Area frame *(Go to Question 3)*
☐ List-assisted area frame *(Go to Question 2)*

2. List all sources of the list frame. Indicate the type of source from the list below. Provide a brief description of the frame source. Explain how the lists are updated (method), including how new outlets are identified and added to the frame. In addition, explain how often the lists are updated (cycle). *(After completing this question, go to Question 4)*

Use the corresponding number to indicate Type of Source in the table below:

- | | |
|---|--|
| 1 – Statewide commercial business list | 4 – Statewide retail license/permit list |
| 2 – Local commercial business list | 5 – Statewide liquor license/permit list |
| 3 – Statewide tobacco license/permit list | 6 – Other |

Name of Frame Source	Type of Source	Description	Updating Method and Cycle
North Dakota Office of Attorney General's list of Retail Tobacco Product Licenses	3	State requires licensing of all tobacco retailers, with annual renewal. Chains are required to have separate licenses for each physical location. Bars and liquor stores were deleted from frame because of ND's legal restriction for minors entering adult only establishments for conducting research. Also deleted from frame were private membership clubs, outlets on Indian reservations and military bases.	List is updated continually as new businesses apply, and renewal of licensing takes place on July 1 of each year. Duplicates were eliminated.

3. If an area frame is used, describe how area sampling units are defined and formed.

- a. Is any area left out in the formation of the area frame?** ☐ Yes ☐ No

If Yes, what percentage of the State's population is not covered by the area frame?

_____ %

4. Federal regulation requires that vending machines be inspected as part of the Synar survey. Are vending machines included in the Synar survey?

☒ **Yes** ☐ **No**

If No, please indicate the reason they are not included in the Synar survey.

- ☐ State law bans vending machines
- ☐ State law bans vending machines from locations accessible to youth
- ☐ State has SAMHSA approval to exempt vending machines from the survey
- ☐ Other (please describe): _____
- _____

5. Which category below best describes the sample design? (Check only one)

☐ **Census** (*STOP HERE: Appendix B is complete*)

Unstratified State-wide sample:

- ☐ Simple random sample (*go to Question 9*)
- ☐ Systematic random sample (*go to Question 6*)
- ☐ Single-stage cluster sample (*go to Question 8*)
- ☐ Multi-stage cluster sample (*go to Question 8*)

Stratified sample:

- ☒ Simple random sample (*go to Question 7*)
- ☐ Systematic random sample (*go to Question 6*)
- ☐ Single-stage cluster sample (*go to Question 7*)
- ☐ Multi-stage cluster sample (*go to Question 7*)

☐ **Other** (please describe and go to Question 9): _____

6. Describe the systematic sampling methods. (*After completing Question 6, go to Question 7 if stratification is used. Otherwise go to Question 9.*)

7. Provide the following information about stratification

a. Provide a full description of the strata that are created.

The plan has 17 strata. Random sampling is done within each stratum.

Twenty-seven percent of tobacco retailers accessible to youth are located on the east border counties. Seven percent of tobacco retailers accessible to youth are located on the west border counties. Over 60 percent of tobacco retailers are located in the eleven cities, each represented below in separate strata.

- 1 Cass
- 2 Grand Forks/Traill/Pembina
- 3 Burleigh
- 4 Benson/Towner/Cavalier/Pierce/Eddy/Nelson/Rolette
- 5 Dickey/Sargent/Logan/McIntosh/LaMoure
- 6 Ward
- 7 Grant/Oliver/Sheridan/Emmons/McLean
- 8 Barnes/Stutsman
- 9 Morton/Mercer
- 10 Griggs/Kidder/Wells/Steele/Foster
- 11 Burke/Divide/Montrail/McKenzie
- 12 Billings/Dunn/Golden Valley/Slope/Bowman/Adams/Hettinger
- 13 Ramsey/Walsh
- 14 Richland/Ransom
- 15 Bottineau/Renville/McHenry
- 16 Stark
- 17 Williams

A total of 339 outlets were sampled for the FFY 2008 survey, including 8 vending machines, licensed within these strata.

b. Is clustering used within the stratified sample?

☐ **Yes** (go to Question 8)

☒ **No** (go to Question 9)

8. Provide the following information about clustering

a. Provide a full description of how clusters are formed. (*If multi-stage clusters are used, give definitions of clusters at each stage.*)

b. Specify the sampling method (simple random, systematic, or probability proportional to size sampling) for each stage of sampling and describe how the method(s) is (are) implemented.

9. Provide the formulae for determining the effective, target, and original outlet sample sizes.

The SSES Sample Size Calculator was used to determine all sample sizes. (see below)

Synar Survey

State	ND
FFY	2008
Date	7/11/2007 9:02

Input Information

Option for 95% Confidence Interval	One-Sided
Outlet Frame Size	802
Expected Retailer Violation Rate	10%
Design Effect	1.28
Expected Accuracy Rate	85.28%
Expected Completion Rate	99.10%
Safety Margin Used	10%

Sample Size

Effective Sample Size	203
Target(Minimum) Sample Size	260
Planned Original Sample Size	339

APPENDIX C

STATE: ND
FFY: 2008

SYNAR SURVEY INSPECTION PROTOCOL

Note: Attach a copy of the inspection form and protocol used to record the inspection result.

1. How does the State Synar survey protocol address the following?

a. Consummated buy attempts?

- | | |
|--|--|
| <input checked="" type="checkbox"/> Required | <input type="checkbox"/> Not Permitted |
| <input type="checkbox"/> Permitted under specified circumstances | <input type="checkbox"/> Not specified in protocol |

b. Youth inspectors to carry ID?

- | | |
|--|--|
| <input type="checkbox"/> Required | <input checked="" type="checkbox"/> Not Permitted |
| <input type="checkbox"/> Permitted under specified circumstances | <input type="checkbox"/> Not specified in protocol |

c. Adult inspectors to enter the outlet?

- | | |
|---|--|
| <input type="checkbox"/> Required | <input type="checkbox"/> Not Permitted |
| <input checked="" type="checkbox"/> Permitted under specified circumstances | <input type="checkbox"/> Not specified in protocol |

d. Youth inspectors to be compensated?

- | | |
|--|--|
| <input checked="" type="checkbox"/> Required | <input type="checkbox"/> Not Permitted |
| <input type="checkbox"/> Permitted under specified circumstances | <input type="checkbox"/> Not specified in protocol |

2. Identify the agency(s) or entity(s) that actually conduct the random, unannounced Synar inspections of tobacco outlets. (Check all that apply)

- ☐ Law enforcement agency(s)
☐ State or local government agency(s) other than law enforcement
☒ Private contractor(s)
☐ Other

List the agency name(s): Winkelman Consulting, Inc.

3. Are Synar inspections combined with law enforcement efforts (i.e., do law enforcement issue warnings or citations to retailers found in violation of the law at the time of the inspection)?

- ☐ Always ☐ Usually ☐ Sometimes ☐ Rarely ☒ Never

4. Describe the methods used to recruit, select, and train youth inspectors and adult supervisors.

DMHSAS contracted with Winkelman Consulting, Inc. to conduct inspections this year. The contractor divided the state into three separate “regions” for surveying purposes and recruited adult supervisors and youth inspectors from each. There were six youth inspectors total, with three being male and three being female. Three were 16 years old and three were 15 years old.

Each youth must complete a Youth Application form, as well as consent forms signed by their parent or guardian. Each youth inspector and adult supervisor must then attend a training session conducted by the contractor using protocol set forth by the State, which follows the training document developed by CSAP. The contractor must then submit proof to the State that each of the inspectors and supervisors attended a training session, usually in the form of a signed sign-in sheet from the day of the training.

5. Are there specific legal or procedural requirements instituted by the State to address the issue of youth inspectors’ immunity when conducting inspections?

a. Legal ☐ Yes ☒ No (If Yes, please describe):

b. Procedural ☐ Yes ☒ No (If Yes, please describe):

6. Are there specific legal or procedural requirements instituted by the State to address the issue of the safety of youth inspectors during all aspects of the Synar inspection process?

a. Legal ☐ Yes ☒ No (If Yes, please describe):

b. Procedural ☒ Yes ☐ No (If Yes, please describe):

Adult supervisors sometimes do enter the facility prior to the youth inspector to check for safety of the location. Parents or guardians of youth inspectors must sign consent forms, including medical, and all adult supervisors must have proof of current insurance.

7. Are there any other legal or procedural requirements the State has regarding how inspections are to be conducted (e.g., age of youth inspector, time of inspections, training that must occur)?

a. Legal ☐ Yes ☒ No (If Yes, please describe):

b. Procedural ☐ Yes ☒ No (If Yes, please describe):

APPENDIX D

STATE: ND
FFY: 2008

List Sampling Frame Coverage Study (LIST FRAME ONLY)

1. Calendar year of the coverage study: CY 2007

2. Percent coverage found: 96.1 %
(Provide calculation of the percent coverage)

Coverage rate = Total number of matched outlets on the frame / Total number of outlets found
by the coverage study

Coverage rate = 196 / 204 = **96.1%**

3. Provide a description of the coverage study methods and results.

Please see included report.